

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND DIVISION

KELLY CAHILL, SARA JOHNSTON,

LINDSAY ELIZABETH, and HEATHER )

HENDER, individually and on )

behalf of others similarly )

situated, )

10 | Plaintiffs, )

11 | v. ) 3 : 18-cv-01477-JR

12 NIKE, INC., an Oregon )

13 corporation,) )

14 | Defendant. )

16 DEPOSITION OF LAUREN ANDERSON

January 21, 2021

Thursday

9:07 A.M.

## THE VIDEOCONFERENCE VIDEO-RECORDED

22 DEPOSITION OF LAUREN ANDERSON was taken at

23      Portland, Oregon, before Jan R. Duiven, CSR, FCRR,

24 RPR, CRC, Certified Shorthand Reporter in and for

25 the State of Oregon.

1	did not -- when there were additional projects or	12:09:16
2	special projects to be worked on, those weren't	12:09:20
3	things that I would have access to.	12:09:24
4	Q.        Okay. Any other ways that you believe	12:09:38
5	██████████ did not help advance your career?	12:09:41
6	A.        That seems like a pretty big list. I	12:09:43
7	mean, that seems like the list I can think of	12:09:50
8	right now.	12:09:52
9	Q.        Okay. So anything else that you	12:09:53
10	recall as we sit here today?	12:09:54
11	<u>A.        I mean, there -- there are -- what --</u>	<u>12:09:57</u>
12	<u>what details -- what other details do you --</u>	<u>12:10:04</u>
13	<u>should I be providing you with at this point in</u>	<u>12:10:08</u>
14	<u>time? I mean, there was an incident --</u>	<u>12:10:10</u>
15	<u>Q.        Well --</u>	<u>12:10:12</u>
16	<u>A.        There was an incident that when we</u>	<u>12:10:12</u>
17	<u>were at on off-site where he was extremely</u>	<u>12:10:14</u>
18	<u>disrespectful. He -- in the middle of a -- you</u>	<u>12:10:17</u>
19	<u>know, it was a social gathering at night with a</u>	<u>12:10:24</u>
20	<u>bunch of our coworkers. It was basically our</u>	<u>12:10:26</u>
21	<u>whole team.</u>	<u>12:10:29</u>
22	<u>He stood in front of me with his</u>	<u>12:10:30</u>
23	<u>crotch in my face and was like, "Suck my balls."</u>	<u>12:10:34</u>
24	<u>Doesn't really help you with your coworkers and</u>	<u>12:10:41</u>
25	<u>colleagues to have someone doing that to you.</u>	<u>12:10:43</u>

1	<u>Later in the evening, we were outside,</u>	12:10:47
2	<u>and I was with some of my -- again, some of my</u>	12:10:53
3	<u>coworkers and they were passing a joint around and</u>	12:10:56
4	<u>someone handed it to me, and I handed it to</u>	12:10:58
5	<u>someone else because I don't smoke. And then he,</u>	12:11:01
6	<u>in front of all these people, said, "What are you</u>	12:11:04
7	<u>going to do, report me to HR?" You know, implying</u>	12:11:06
8	<u>that I was going to rat somebody out for something</u>	12:11:12
9	<u>which I didn't care what they were doing.</u>	12:11:14
10	 <u>But it was a group of guys and, I</u>	12:11:16
11	<u>mean, there were plenty of instances like that</u>	12:11:18
12	<u>where the group of guys who were his friends were</u>	12:11:21
13	<u>in an inner circle that I, as a woman, was not</u>	12:11:24
14	<u>choosing to be part of those situations nor put</u>	12:11:28
15	<u>myself in an uncomfortable position with him any</u>	12:11:32
16	<u>way I could.</u>	12:11:35
17	 Q. Okay. Any other ways in which you	12:11:45
18	felt that [REDACTED] did not help advance your	12:11:47
19	career or set you backwards that you haven't	12:11:49
20	already told me about?	12:11:52
21	 A. Not that I can think of right now.	12:11:54
22	 Q. Okay. Let's see. And you told me	12:12:11
23	that [REDACTED] -- you felt that [REDACTED] did	12:12:21
24	not help advance your career because he was	12:12:26
25	unavailable to you and uninterested in your work?	12:12:27

1 CERTIFICATE  
2  
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I, Jan R. Duiven, CSR, FCRR, CRC,  
RPR, a Certified Shorthand Reporter for the State  
of Oregon, do hereby certify that, pursuant to  
stipulation of counsel for the respective parties  
hereinbefore set forth, LAUREN ANDERSON appeared  
virtually before me at the time and place set  
forth in the caption hereof; that at said time and  
place I reported in Stenotype all testimony  
adduced and other oral proceedings had in the  
foregoing matter; that thereafter my notes were  
reduced to typewriting under my direction; and  
that the foregoing transcript, pages 1 to 161,  
both inclusive, constitutes a full, true, and  
accurate record of all such testimony adduced and  
oral proceedings had, and of the whole thereof.

Witness my hand at Eugene, Oregon,  
this 30th day of January, 2021.

21   
22

23 Jan R. Duiven, CSR, FCRR, CRC, RPR

24 CSR No. 96-0327

25 Expiration Date: September 30, 2023

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v. ) 3:18-cv-01477-JR  
NIKE, INC., an Oregon )  
corporation, )  
Defendant. )

DEPOSITION OF LAUREN ANDERSON

VOLUME II

February 5, 2021

Friday

9:01 A.M.

THE VIDEOCONFERENCE VIDEO-RECORDED  
DEPOSITION OF LAUREN ANDERSON was taken at  
Portland, Oregon, before Jan R. Duiven, CSR, FCRR,  
RPR, CRC, Certified Shorthand Reporter in and for  
the State of Oregon.

1 with your prior testimony where you told me that 15:50:09  
2 you became a director again after you took the 15:50:10  
3 U-band role? 15:50:14  
4 MR. BLAKE: Objection. Vague and 15:50:15  
5 ambiguous. 15:50:18  
6 A. But I hadn't -- if I hadn't been in a 15:50:18  
7 position where I was forced to take a U-band role, 15:50:21  
8 then at the time I took a director role, I would 15:50:23  
9 have hopefully been and probably been competing 15:50:26  
10 for senior director roles. 15:50:29  
11 BY MS. ZABELE: 15:50:32  
12 Q. Okay. But you don't know for sure 15:50:32  
13 that that would be the case. You're just 15:50:34  
14 speculating. Right? 15:50:35  
15 A. I don't know for sure it's not the 15:50:36  
16 case. 15:50:37  
17 Q. I know. But you don't know for sure 15:50:38  
18 that it would have been the case. Correct? 15:50:41  
19 MR. BLAKE: Objection. 15:50:42  
20 Argumentative. Calls for speculation. 15:50:42  
21 A. No. 15:50:51  
22 MS. ZABELE: Okay. So all right. 15:50:52  
23 Let's take a look at the MOR complaint. 15:50:56  
24 (Deposition Exhibit No. 206  
25 marked for identification.)

1	<u>BY MS. ZABELE:</u>	<u>15:51:55</u>
2	<u>Q.</u> <u>Okay.</u> <u>I've marked as Exhibit 206 a</u>	<u>15:51:55</u>
3	<u>multipage document Bates-stamped Nike_00023458 to</u>	<u>15:51:57</u>
4	<u>00023460.</u>	<u>15:52:05</u>
5	<u>Ms. Anderson, please let me know when</u>	<u>15:52:09</u>
6	<u>you have Exhibit 206 in front of you.</u>	<u>15:52:10</u>
7	<u>A.</u> <u>Yes.</u>	<u>15:52:20</u>
8	<u>Q.</u> <u>Okay.</u> <u>So you told me earlier that</u>	<u>15:52:20</u>
9	<u>after you had a conversation with Lauren Sherman,</u>	<u>15:52:24</u>
10	<u>you submitted a complaint through Nike's Matter of</u>	<u>15:52:26</u>
11	<u>Respect hotline. Is that right?</u>	<u>15:52:33</u>
12	<u>A.</u> <u>Yes.</u>	<u>15:52:37</u>
13	<u>Q.</u> <u>Okay.</u> <u>So was that a number you called</u>	<u>15:52:39</u>
14	<u>to make the complaint, like a telephone number?</u>	<u>15:52:40</u>
15	<u>A.</u> <u>Yes.</u> <u>It was a telephone number.</u>	<u>15:52:44</u>
16	<u>Q.</u> <u>Okay.</u> <u>And you -- okay.</u> <u>So maybe</u>	<u>15:52:45</u>
17	<u>let's -- you may not have seen it in this format</u>	<u>15:52:55</u>
18	<u>before, so maybe let's just go through it.</u> <u>At the</u>	<u>15:52:57</u>
19	<u>top of Exhibit 206 -- actually, strike that.</u>	<u>15:53:01</u>
20	<u>Let's do this.</u> <u>If you can look at the</u>	<u>15:53:09</u>
21	<u>second page of Exhibit 206, at the top there's</u>	<u>15:53:11</u>
22	<u>some text that starts, "October 2015."</u> <u>Do you see</u>	<u>15:53:16</u>
23	<u>that?</u>	<u>15:53:19</u>
24	<u>A.</u> <u>Yes.</u>	<u>15:53:23</u>
25	<u>Q.</u> <u>Okay.</u> <u>Could you please read that and</u>	<u>15:53:24</u>

1	<u>let me know if you think that this is an accurate</u>	<u>15:53:26</u>
2	<u>and true reflection of the complaint that you</u>	<u>15:53:31</u>
3	<u>submitted to Nike's Matter of Respect hotline?</u>	<u>15:53:33</u>
4	A. <u>Yes. I've read this. Yes. It's</u>	<u>15:54:17</u>
5	<u>accurate.</u>	<u>15:54:19</u>
6	Q. <u>Okay. Sorry. Go ahead.</u>	<u>15:54:20</u>
7	A. <u>I said, yes, it was accurate.</u>	<u>15:54:23</u>
8	Q. <u>Ah. Thank you. Okay. Okay. So now</u>	<u>15:54:25</u>
9	<u>if I can ask you to look at the top of the first</u>	<u>15:54:32</u>
10	<u>page of Exhibit 206. At the very top on the</u>	<u>15:54:34</u>
11	<u>left-hand side, it says, "Report initiated," and</u>	<u>15:54:39</u>
12	<u>then just to the right of that, it says,</u>	<u>15:54:42</u>
13	<u>"2018-03-22." Do you see that?</u>	<u>15:54:46</u>
14	A. <u>Yes.</u>	<u>15:54:48</u>
15	Q. <u>Okay. Okay. And is that the date</u>	<u>15:54:50</u>
16	<u>that you submitted this complaint through the</u>	<u>15:54:52</u>
17	<u>Matter of Respect hotline, March 22nd, 2018?</u>	<u>15:54:54</u>
18	A. <u>Yes.</u>	<u>15:54:57</u>
19	Q. <u>Okay. And this was based on an</u>	<u>15:54:59</u>
20	<u>incident that had occurred in October 2015.</u>	<u>15:55:11</u>
21	<u>Correct?</u>	<u>15:55:13</u>
22	A. <u>Yes.</u>	<u>15:55:13</u>
23	Q. <u>Okay. So then looking at, again, the</u>	<u>15:55:23</u>
24	<u>top of the second page, it says, "October 2015,</u>	<u>15:55:25</u>
25	<u>the entire digital" -- sorry. Strike that.</u>	<u>15:55:29</u>

1	<u>So I'll just read through your</u>	<u>15:55:30</u>
2	<u>complaint as reflected on the top of the second</u>	<u>15:55:39</u>
3	<u>page of Exhibit 206. So it says, "October 2015,</u>	<u>15:55:41</u>
4	<u>the entire digital brand group was in Seattle for</u>	<u>15:55:44</u>
5	<u>an off-site. After a day of working, we had</u>	<u>15:55:46</u>
6	<u>dinner and then were out as a group having</u>	<u>15:55:49</u>
7	<u>drinks." Do you see that?</u>	<u>15:55:53</u>
8	A. <u>Yes.</u>	<u>15:55:55</u>
9	Q. <u>Who was the -- who was in attendance?</u>	<u>15:55:55</u>
10	<u>Like who was the group that was out having drinks?</u>	<u>15:56:01</u>
11	A. <u>The digital brand marketing team. I</u>	<u>15:56:07</u>
12	<u>think just about the entire team.</u>	<u>15:56:10</u>
13	Q. <u>Okay. And then the second paragraph</u>	<u>15:56:12</u>
14	<u>there just underneath it states, "During the</u>	<u>15:56:32</u>
15	<u>evening our group was sitting around low tables</u>	<u>15:56:36</u>
16	<u>and [REDACTED] ended up standing in front of me, crotch</u>	<u>15:56:39</u>
17	<u>in my face, and made a comment about sucking his</u>	<u>15:56:43</u>
18	<u>dick." Do you see that?</u>	<u>15:56:45</u>
19	A. <u>Uh-huh.</u>	<u>15:56:48</u>
20	Q. <u>Okay. And the next sentence says,</u>	<u>15:56:48</u>
21	<u>"The entire group who was present didn't exactly</u>	<u>15:56:51</u>
22	<u>know what to do." Do you see that too?</u>	<u>15:56:53</u>
23	A. <u>Yes.</u>	<u>15:56:56</u>
24	Q. <u>Okay. So who witnessed [REDACTED] or</u>	<u>15:56:57</u>
25	<u>[REDACTED] standing in front of you, crotch in your</u>	<u>15:57:03</u>

1	<u>face, and making a comment about sucking his dick?</u>	<u>15:57:09</u>
2	<u>A.</u> <u>I mean, the -- the team was there. We</u>	<u>15:57:12</u>
3	<u>were all sitting around at the table at the bar.</u>	<u>15:57:16</u>
4	<u>[REDACTED] were sitting</u>	<u>15:57:21</u>
5	<u>closest to me, like next to me, and witnessed it</u>	<u>15:57:25</u>
6	<u>directly.</u>	<u>15:57:28</u>
7	<u>Q.</u> <u>Who else was there?</u>	<u>15:57:30</u>
8	<u>A.</u> <u>I mean, it was -- it was the whole</u>	<u>15:57:31</u>
9	<u>group.</u>	<u>15:57:35</u>
10	<u>Q.</u> <u>Yeah. Who would that be?</u>	<u>15:57:36</u>
11	<u>A.</u> <u>I mean, everybody who was on the</u>	<u>15:57:39</u>
12	<u>digital team. It would have been -- I mean, I</u>	<u>15:57:41</u>
13	<u>don't -- I don't remember everybody. I mean, but</u>	<u>15:57:45</u>
14	<u>[REDACTED], a</u>	<u>15:57:47</u>
15	<u>couple of the design guys. There were some design</u>	<u>15:57:57</u>
16	<u>guys there who were part of the team who did our</u>	<u>15:58:00</u>
17	<u>photo shoots.</u>	<u>15:58:04</u>
18	<u>I think at that point in time Kelly</u>	<u>15:58:07</u>
19	<u>was not in the hotel lobby, but had gone back to</u>	<u>15:58:09</u>
20	<u>bed. I certainly told her about it the next</u>	<u>15:58:12</u>
21	<u>morning as did other people who were there. I</u>	<u>15:58:16</u>
22	<u>don't remember all the people on the team.</u>	<u>15:58:25</u>
23	<u>Q.</u> <u>Anyone else that you haven't told me</u>	<u>15:58:27</u>
24	<u>about specifically who witnessed this?</u>	<u>15:58:30</u>
25	<u>A.</u> <u>I mean, like I said, I can't -- I</u>	<u>15:58:35</u>

1	<u>can't remember everybody's name. This was a while</u>	<u>15:58:38</u>
2	<u>ago. And they're not people who --</u>	<u>15:58:39</u>
3	<u>O. Okay. I understand you can't remember</u>	<u>15:58:43</u>
4	<u>everybody, but anyone who was there that you</u>	<u>15:58:44</u>
5	<u>recall that you haven't listed?</u>	<u>15:58:46</u>
6	<u>A. Not -- not that I recall, but there</u>	<u>15:58:49</u>
7	<u>were at least a dozen people there at the time.</u>	<u>15:58:55</u>
8	Q. Okay. And then if you look at the	15:59:02
9	third line/paragraph at the top of the second page	15:59:05
10	of Exhibit 206, you reported, "Kelly Cahill is	15:59:11
11	also a witness to this. She has since left Nike,	15:59:16
12	but she was my manager at the time of the	15:59:18
13	incident." Do you see that?	15:59:20
14	A. Yes.	15:59:21
15	Q. So did Kelly Cahill witness the	15:59:22
16	incident or not?	15:59:25
17	A. I -- I don't recall that she was still	15:59:28
18	there that night.	15:59:31
19	Q. Okay. But you said in your complaint	15:59:36
20	to the Matter of Respect hotline that she was?	15:59:38
21	A. Well, it seems like I did.	15:59:41
22	Q. Okay. And you'd agree it's important	15:59:48
23	to be accurate and truthful when submitting a	15:59:50
24	complaint like this to Nike's internal hotline.	15:59:53
25	Correct?	15:59:57

within Nike. At this time, we would like to let you know that steps have been taken to address your concerns." Do you see that? 16:17:35 16:17:38 16:17:41

A. Yes. 16:17:42

Q. Okay. And so I guess I'll ask this. 16:17:43  
Did you receive this email from Ms. Nunez dated 16:17:56  
August 3rd, 2018? 16:17:59

A. Yes. 16:18:01

9 Q. Okay. And does this reflect -- 16:18:01  
10 refresh your recollection that Ms. Nunez contacted 16:18:04  
11 you to let you know the investigation into your 16:18:07  
12 Matter of Respect complaint regarding [REDACTED] 16:18:10  
13 had been concluded? 16:18:15

A. Yes. 16:18:17

15 Q. And [REDACTED] is no longer with Nike. 16:18:18  
16 Correct? 16:18:28

A. Correct. 16:18:28

Q. Do you know why he's no longer with 16:18:34

I believe he was let go 16-18-35

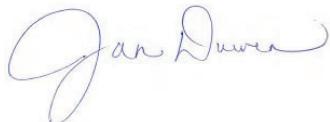
22           A.       It was -- I think it was the summer of       16:18:45  
23       2018 when all the heads rolled. There were a lot       16:18:51  
24       of senior leaders who left or were let go.       16:18:53

Q. Okay. And do you feel that Ms. Nunez 16:19:04

1 CERTIFICATE  
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I, Jan R. Duiven, CSR, FCRR, CRC,  
RPR, a Certified Shorthand Reporter for the State  
of Oregon, do hereby certify that, pursuant to  
stipulation of counsel for the respective parties  
hereinbefore set forth, LAUREN ANDERSON appeared  
virtually before me at the time and place set  
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